

JOURNAL OF THE HOUSE.

Thursday, August 3, 2006.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, we believe that we live every moment of the day in Your presence. As elected leaders Your help and direction enables us to recognize and to cope with each day's many legislative challenges and opportunities. In addressing current and future complex public policy issues in technology and technological breakthroughs, inspire us to act on accurate data and to follow basic human principles in our decision making process. May we, in this age of worldwide violence, continue to respect and protect the rights of all in our various communities.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Fox of Boston) honoring the Cottagers Inc., of Oaks Bluff;

Cottagers, Inc.

Resolutions (filed by Representatives Gomes of Harwich and Turkington of Falmouth) congratulating the Provincetown Center for Coastal Studies; and

Provincetown
Center for
Coastal Studies.

Resolutions (filed by Mr. Rice of Gardner) on the one hundredth anniversary of the Second Congregational Church of South Royalston;

Second
Congregational
Church.

Mr. Petrolati of Ludlow, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Sciortino of Medford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

The House Bill relative to retirement benefits for Stuart Freedman (House, No. 4518) came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2687.

Stuart
Freedman,
retirement
benefits.

Under suspension of Rule 35, on motion of Ms. Paulsen of Belmont, the amendment (reported by the committee on Bills in the Third Reading to be correctly drawn) was considered forthwith; and it was adopted, in concurrence.

Funds,
processing.

The House Bill relative to processing of funds (House, No. 4649) came from the Senate passed to be engrossed, in concurrence, with amendments in section 4, in line 9, and also in section 5, in line 8, by striking out the following: “up to 10”; and inserting in place thereof, in each instance, the following: “not less than 25”.

Under suspension of Rule 35, on motion of Mr. Nangle of Lowell, the amendments (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted, in concurrence.

Reports of Committees.

Uniform
probate
Code.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, asking to be discharged from further consideration of the Bill relative to the uniform probate code (House, No. 801),— and recommending that the same be recommitted to the committee on the Judiciary. Under Rule 42, the report was considered forthwith; and it was accepted.

Campaigns,
electronic
communications.

By Mr. Petrucci of Boston, for the committee on Election Laws, that the recommitted Bill relative to electioneering communications and independent expenditures (House, No. 5033) ought to pass with amendments by striking out section 4 and inserting in place thereof the following section:

“SECTION 4. Subsection (b) of section 18C of said chapter 55C, as so appearing, is hereby amended by adding the following paragraph:

(4) Every individual, group, or association who makes an independent expenditure or electioneering communication expenditure in an aggregate amount exceeding two hundred and fifty dollars during any calendar year.”; and in section 5 by inserting after the word “expenditures.”, in line 14, the following sentence: “In addition, any individual, group, or association not defined as a political committee, who makes an electioneering communication expenditure or expenditures, in an aggregate amount exceeding two hundred and fifty dollars during any calendar year, who receives funds for the purpose of making such electioneering communications shall include in said electronic filing the date the funds were received and the name and address of the provider of any such funds in excess of two hundred dollars, if any.”. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendments pending.

Juvenile
justice
program.

By Mrs. Walrath of Stow, for the committee on Health Care Financing, that the Bill relative to community based juvenile justice programs (House, No. 995) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Taunton,
land
transfer.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the transfer of certain parcels of land in the

city of Taunton (Senate, No. 2666) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mrs. Haddad of Somerset, for the committee on Education, on a recommitted petition, a Bill to enhance student opportunity for achievement and results (SOAR) (House, No. 1071, changed in line 19 by striking out the words “five year” and inserting in place thereof the words “four year”). Read; and referred, under Rule 33, to the committee on Ways and Means.

SOAR,
enhancement.

By Mr. Petrucci of Boston, for the committee on Election Laws, on a petition, a Bill allowing the city of Fall River to place a ballot question on the November 2006 Massachusetts state election ballot (House, No. 4874) [Local Approval Received].

Fall River,
ballot
question.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Hopkinton to acquire certain real property in the towns of Upton and Milford (House, No. 4867) [Local Approval Received].

Hopkinton,
Upton and
Milford.

By Mr. Kaufman of Lexington, for the committee on Public Service, on a recommitted petition, a Bill providing for retirement benefits to the widow and children of David San Antonio (House, No. 3593) [Local Approval Received].

David
San Antonio,
retirement.

By the same member, for the same committee, on a petition, a Bill exempting the position of deputy police chief in the town of Hingham from the civil service laws (House, No. 5036) [Local Approval Received].

Hingham,
deputy
police chief.

By the same member, for the same committee, on a petition, a Bill relative to administrative oversight of the hiring process in the town of West Boylston (House, No. 5132).

West Boylston,
hiring
process.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill designating the new Department of Youth Services facility in Westborough as the Zara Cisco Brough-“Little White Flower” Facility (House, No. 5138).

Westborough,
Zara Cisco
Brough.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain permanent easements to Brockton Hospital (Senate, No. 2537, changed) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Brockton
Hospital,
easements.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Correia of Fall River, the bill was read a second time forthwith; and it was ordered to a third reading.

Emergency Measures.

The engrossed Bill relative to the membership of the retirement board of the Massachusetts Water Resources Authority (see Senate,

MWRA,
retirement
board.

MWRA,
retirement
board.

No. 2507), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 5 to 0. Sent to the Senate for concurrence.

Boston,
Expressway
Motors LLC.

The engrossed Bill authorizing the conveyance of a certain parcel of land in the city of Boston (see House, No. 4801, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 5 to 0. Sent to the Senate for concurrence.

Engrossed Bill.

Bill
enacted.

The engrossed Bill authorizing child care providers to negotiate jointly with the Department of Early Education and Care and the Executive Office of Health and Human Services (see House, No. 5257) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Reconsideration.

Economic
development.

Mr. Sánchez of Boston moved that the vote be reconsidered by which the House, on Monday last, concurred with the Senate in its amendments to the House Bill relative to the economic development of the Commonwealth (House, No. 5253, amended); and the motion to reconsider was considered forthwith; and it prevailed.

Pending the recurring question on concurring with the Senate in its amendments, Messrs. Sánchez and Bosley of North Adams moved that the House concur therein with a further amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5259.

The further amendment was adopted, the House then concurred with the Senate in its amendments, as amended. Sent to the Senate for concurrence in the further amendment.

Orders of the Day.

Third
reading
bill.

The Senate Bill relative to a certain corporate credit union (Senate, No. 2286), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

House bills

Third
reading
bills.

Validating the actions taken by the town of Norton (printed in House, No. 5120); and

Authorizing the city of New Bedford to seek the vote of registered voters of the city to determine if the public water supply should be fluoridated (House, No. 5134);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Quorum.

Mr. Ross of Wrentham asked for a count of the House to ascertain if a quorum was present, the Chair (Mr. Donato of Medford), determined that a quorum was not in attendance.

Quorum.

Under the provisions of Rule 82, the Chair (Mr. Donato), at twenty minutes before twelve o'clock noon, declared an adjournment of the House until Monday next at eleven o'clock A.M., in an Informal Session.

Adjournment.